

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Application No.

09/381,556

Application of:

Fong et al.

International Application No.

PCT/US98/05505

International Filing Date

20/03/1998

Priority Date Claimed

21/03/1997

For:

Rapid Production of Autologous Tumor Vaccines by

Using HSV Amplicon Vectors

Attorney Docket No.

MSK.P-031USNP

# **SUBSTITUTE FORM 1449**

# U.S. Patents

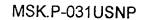
Examiner's initials	Patentee	Patent No.	Issue Date	Class	Sub- class	Filing date if appropriate
	,					
						,

Foreign Patents

Examiner's initials	Country	Patent No.	Publication date	Class	Sub- class	Trans-
AND	wo	96 29421	Sept. 26, 1996			IGEOT
1	WO	97 00085	Jan. 3, 1997			

#### Other Publications

Examiner's initials	Description
ac)	KUTUBUDDIN ET AL: "ERADICATION OF PREEXISTING MURINE TUMOR USING HERPES AMPLICON VECTORS", CANCER GENE THERAPY, Vo. 4, No. 6 November 1997 — December 1997, page S26 XP002073450;
	Parijs et al. Homeostasis and self-tolerance in the immune system: Turning lymphocytes off. Science Vol. 280 pages 243-248. 1998.
	Vieweg et al. considerations for the use of cytokine-secreting tumor cell preparations for cancer treatment. Cancer Investigation Vol. 13 pages 193-201. 1995.





# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Application No.

09/381,556

Application of: -

Fong et al.

International Application No.

PCT/US98/05505

International Filing Date

20/03/1998

Priority Date Claimed

21/03/1997

For:

Rapid Production of Autologous Tumor Vaccines by

Using HSV Amplicon Vectors

Attorney Docket No.

MSK.P-031USNP

#### SUBSTITUTE FORM 1449

#### U.S. Patents

Examiner's initials	Patentee	Patent No.	Issue Date	Class	Sub-class	Filing date if appropriate

Foreign Patent Documents

Examiner's initials	Country	Patent No.	Publication date	Class	Sub- class	Trans- lation
NO	wo	97/00085	J <del>an</del> uary 1997			
	wo	96/29421	September 1996	·		

#### Other Publications

Examiner's initials	Description					
NO	Tung, et al., "Rapid Production of Interleukin-2-Secreting Tumor Cells by Herpes Simplex Virus-Mediated Gene Transfer: Implications for Autologous Vaccine Production.", vol. 7, 1996 pages 2217-2224.					
,	Kutubuddin, et al., "Eradication of proexisting murine tumor using herpes amplicon vectors.", vol 4, no. 6, November 1997, page S26.					
	Dranoff, et al., "Vaccination with irradiated tumor cells engineered to secrete murine granulocyte-macrophage colony-stimulating factor stimulates potent, specific, and long-lasting anti-tumor immunity.", 1993, pages 3539-3543.					
	Karpoff, et al., "Prevention of Hepatic Tumor Metastases in Rats with Herpes Viral Vaccines and y-Interferon.", vol. 99, no. 4, February 1997, pages 799-804.					
	Vieweg, et al., "Immunotherapy of prostate cancer in the Dunning rat model: use of cytokine gene modified tumor vaccines.", Medline for Cancer Res 54: 1760-1765 (1994).					



Iwanuma, et al., "Induction of tumor-specific cytotoxic T lymphocytes and natural killer cells by tumor cells transfected with the interleukin-2 gene.", Medline for Cancer Immunol Immunother 40: 17-23 (1995).

Abe, et al., "Antitumor effect induced by granulocyte/macrophage-colony-stimulating factor gene-modified tumor vaccination: comparison of adenovires- and retrovirus-mediated genetic

transduction." Medline for J Cancer Res Clin Oncol 121: 587-592 (1995).

This Information Disclosure Citation List is being submitted as a substitute for Form PTO-1449. The Examiner is requested to place his or her initials on the lines adjacent to the citations to indicate that the reference has been considered. The Examiner is further requested to fill in his or her name and the date the information was considered in blocks at the bottom of this substitute for Form PTO-1449.

Examiner Allle

Date Considered 16/18/07





#### MSK.P-031USNP

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Application No.

09/381,556

Application of:

Fong et al.

International Application No.

PCT/US98/05505

International Filing Date

20/03/1998

**Priority Date Claimed** 

For:

21/03/1997

:

Rapid Production of Autologous Tumor Vaccines by

**Using HSV Amplicon Vectors** 

Attorney Docket No.

MSK.P-031USNP

#### **SUBSTITUTE FORM 1449**

U.S. Patents

Examiner's initials	Patentee	Patent No.	Issue Date	Class	Sub- class	Filing date if appro- priate

Foreign Patents Publication date Patent No. Class Sub-Trans-Examiner's Country class lation initials Sept. 26, 1996 WO Jan. 3, 1997 WO 97 00085

Examiner's initials

Description

KUTUBUDDIN ET AL: \*ERADICATION OF PREEXISTING MURINE TUMOR USING HERPES AMPLICON VECTORS\*, CANCER GENE THERAPY, Vo. 4, No. 6 November 1997 — December 1997, page S26 XP002073450;

Parijs et al. Homeostasis and self-tolerance in the immune system: Turning lymphocytes off. Science Vol. 280 pages 243-248. 1998.

Vieweg et al. considerations for the use of cytokine-secreting tumor cell preparations for cancer treatment. Cancer Investigation Vol. 13 pages 193-201. 1995.

45 V F	O TEE 27 1999
M	Hellstrom et al. Turnor vaccines reality at last? Journal of Immunotherapy Vol. 21 pages 119-126. 1998.
+	Stevenson Tumor Vaccines FASEB J. Vol. 5 pages 2250-2257

This Information Disclosure Citation List is being submitted as a substitute for Form PTO-1449. The Examiner is requested to place his or her initials on the lines adjacent to the citations to indicate that the reference has been considered. The Examiner is further requested to fill in his or her name and the date the information was considered in blocks at the bottom of this substitute for Form PTO-1449.

Examiner HUUW Date Considered 10/18/12

Sheet

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

1 of 1

Complete if Known					
Application Number	09/381,556				
Filing Date	21 September 1999				
First Named Inventor	Fong				
Group Art Unit					
Examiner Name					
Attorney Docket Number	MSK.P-031USNP				

				U.S. PATENT DOCU	MENTS	
Examiner Initials	Cite No.1	U.S. Paten	t Document  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
$\mathcal{M}$		4,859,587		Roizmann, Bernard	08-22-1989	
		4,769,331		Roizmann, Bernard, et al.	09-06-1988	
		5,328,688		Roizmann, Bernard	07-12-1994	
		5,728,379		Martuza, Robert, et al.	03-17-1998	
N/		5,585,096		Martuza, Robert, et al.	12-17-1996	
V						
				0/2		
				2 400		
				ATTE OF C		
				3 000 0	A	
				(2)		
				TAMADY OFFI		

	FOREIGN PATENT DOCUMENTS								
Examiner	iner Cite Foreign Patent Document			Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant			
Initials	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Cod (if know		Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Te	
								Ш	
								Ш	

Examiner Signature Date Considered 10/18/17				
	Examiner	6000000	Date Intell	
000	Signature	Accelled	Considered 10/18/0	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.